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November 1, 2012
Serial: HNP-12-105

ATTN: Document Control Desk
U.S. Nuclear Regulatory Commission
Washington, DC 20555-0001

Shearon Harris Nuclear Power Plant, Unit 1
Docket No. 50-400

Subject: Reply to Notice of Violation; EA-12-132
NRC Inspection Report 05000400/2012010

Ladies and Gentlemen:

Enclosed is Carolina Power & Light Company's reply to the Notice of Violation contained in the enclosure to your letter (EA-12-132) dated October 3, 2012.

This submittal contains no new regulatory commitments.

Please refer any questions regarding this submittal to David H. Corlett, Supervisor – Licensing/Regulatory Programs, at (919) 362-3137.

Sincerely,

GTH/mgw

Enclosure: Reply to Notice of Violation; EA-12-132

cc: Mr. J. D. Austin, NRC Sr. Resident Inspector, HNP
Ms. A. T. Billoch Colón, NRC Project Manager, HNP
Mr. V. M. McCree, NRC Regional Administrator, Region II

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REPLY TO NOTICE OF VIOLATION; EA-12-132
NRC INSPECTION REPORT 05000400/2012010

Reported Violation A:

10 CFR 50.54(q) requires, in part, that a licensee authorized to operate a nuclear power reactor shall follow and maintain in effect emergency plans which meet the standards of 10 CFR 50.47(b).

10 CFR 50.47(b)(8) requires that adequate emergency facilities and equipment to support the emergency response are provided and maintained.

10 CFR 50, Appendix E, Section IV.E.8 (2011 version) states, in part, that the emergency facilities shall include licensee onsite technical support center and an emergency operations facility from which effective direction can be given and effective control can be exercised during an emergency.

The Harris Nuclear Plant Emergency Plan, Section 3.1, revision 57, states in part that adequate emergency facilities, communications, and equipment to support emergency response are provided and maintained.

Contrary to the above, on several occasions between August 4, 2009, and November 9, 2011, the licensee failed to maintain adequate emergency facilities and equipment to support emergency response. Specifically, the Emergency Operations Facility (EOF) normal and emergency ventilation system was in a degraded state and/or removed from service, for extended periods of time.

This violation is associated with a White SDP finding.

Reason for the Violation:

The reason for the violation is that Harris Nuclear Plant (HNP) processes and procedures to ensure the functionality and reportability requirements for the Emergency Response Facilities did not meet the standards established for the rest of the plant.

Corrective Steps Taken and Results Achieved:

1. Revised procedure WCP-NGGC-0300, Work Request Initiation, Screening, Prioritization and Classification on September 10, 2012, to ensure that equipment that is important to facility readiness is assigned a priority that considers its importance. The result of this action is that EOF equipment repairs are now integrated into the site's work management system.
2. Issued procedure PLP-717, Equipment Important to Emergency Preparedness and ERO Response on October 11, 2012, to ensure that when equipment important to Emergency Preparedness (EP) is out of service for maintenance (planned or unplanned), or is in a

degraded condition, the correct restoration priority is assigned; compensatory measures are implemented; and the equipment is promptly restored to a functional operating condition.

Corrective Steps That Will Be Taken:

To preclude further noncompliance, an action is underway to document the technical requirements and administrative controls needed for the EOF and Technical Support Center to ensure performance of design and licensing basis functions. This will include design review and documentation, procedures, and line ownership. This action is currently scheduled to be completed in December 2012.

Date When Full Compliance Will Be Achieved:

Full compliance was achieved November 9, 2011, upon completion of testing following repairs on EOF emergency ventilation isolation damper D-3. The additional actions stated above will further enhance our ability to maintain compliance.

Reported Violation B:

10 CFR 50.72(b)(3)(xiii) states that a licensee shall notify the NRC as soon as practical and in all cases within eight hours of the occurrence of any event that results in a major loss of emergency assessment capability, offsite response capability, or offsite communications capability (e.g., significant portion of control room indication, Emergency Notification System, or offsite notification system).

Contrary to the above, on several occasions between August 4, 2009, and November 9, 2011, the licensee failed to notify the NRC within eight hours of the occurrence of a major loss of emergency assessment capability. Specifically, the licensee failed to report that the EOF normal and emergency ventilation system was in a degraded state, and/or removed from service, for extended periods of time when portions of the ventilation system were undergoing repairs, testing and maintenance, without compensatory measures.

This is a Severity Level III violation (Enforcement Policy paragraph 6.6).

Reason for the Violation:

The reason for the violation is that HNP processes and procedures to ensure the functionality and reportability requirements for the Emergency Response Facilities did not meet the standards established for the rest of the plant.

Corrective Steps Taken and Results Achieved:

1. Revised procedure AP-617, Reportability Determination and Notification on February 27, 2012, to specifically incorporate the reportability requirements of NUREG 1022 related to Emergency Response Facilities. As a result, HNP's reportability threshold is aligned with NRC requirements.

2. Issued procedure PLP-717, Equipment Important to Emergency Preparedness and ERO Response on October 11, 2012, to provide guidance to the shift manager to ensure that when equipment important to EP is out of service or degraded, the condition is evaluated for reportability in accordance with procedure AP-617. The results of this action are a procedurally driven connection between equipment important to EP and reportability guidance.

Corrective Steps That Will Be Taken:

To preclude further noncompliance, an action is underway to document the technical requirements and administrative controls needed for the EOF and Technical Support Center to ensure performance of design and licensing basis functions. This will include design review and documentation, procedures, and line ownership. This action is currently scheduled to be completed in December 2012.

Date When Full Compliance Will Be Achieved:

Full compliance was achieved on October 30, 2012, when HNP submitted to the NRC Operations Center a supplement to event notification report EN-47775 for past periods where the EOF was in a non-functional status. The additional actions stated above will further enhance our ability to maintain compliance.